

# IV. OUTDOOR RECREATION ISSUES OF STATEWIDE IMPORTANCE

#### A. The Focus Group Process

The Bureau asked 15-20 individuals with interest or expertise in each of the five issue areas to participate in separate, daylong discussions of each issue area. Five Focus Group meetings were held in November and December of 2002. Over 50 members of the public, many representing special interest organizations, participated in the meetings, along with members of the SCORP Steering Committee and staff from the Departments of Conservation, Inland Fisheries and Wildlife, Transportation, Marine Resources, the State Planning Office and the Office of Tourism. (Appendix II)

Prior to the meetings, participants were provided with broad background information on their issue area, including excerpts from the 1993 SCORP and more current data, reports, and articles that helped characterize current conditions, trends, and debate. Assisted by facilitators, participants were asked to identify the most important issues and suggest strategies for addressing the top issues that could reasonably be accomplished over the 5-year SCORP planning period. Facilitators initiated the discussions with a period of brainstorming to get important issues/concerns from a broad spectrum of participants on the table. These initial lists were grouped and categorized to produce a shorter list of key issues for which strategies could be developed. A similar process was followed in developing the strategies.

Upon completion of the meetings, the facilitators prepared summaries for each Focus Group, including the outcome of the group discussions. The summaries were posted on the Bureau's Internet web page in early 2003 and were available for further comment by the meeting participants and the general public.

This chapter summarizes the findings of the focus groups' meetings. The issues raised and the strategies suggested by the participants represent a wealth of concerns, wishes, and envisioned solutions. In some cases opinions and ideologies are radically different, but the findings constitute a long list for the Bureau of Parks and Lands, other agencies, municipalities, organizations, and individuals to consider and choose those felt to be the most appropriate to pursue. Some strategies are more realistic and feasible than others. A number of issues were raised by more than one focus group and actions to address some of these broad interests have been initiated by the legislature or the incoming administration, notably:

- A Governor's Task Force on all terrain vehicle use has been established to recommend solutions to the problems being caused by inappropriate or illegal use of ATVs;
- A reassessment of the Land For Maine's Future program's acquisition priorities, to include a focus on coastal access in southern Maine, has been started:
- A Blaine House (Governor's) Conference on value-added natural resource management that will include consideration of the resource base for recreation and ecotourism will be held in the fall of 2003;
- A Natural Resources committee of the Maine Tourism Commission has been created to recommend state actions to further ecotourism and improve cooperation between state agencies and the private tourism sector;
- A reassessment of Allagash Wilderness Waterway management was completed with a focus on increasing "wilderness" qualities and ending controversy over the issue of the amount of vehicle access;
- Legislation establishing a Landowner/Sportsmen Relations Advisory Board to increase communication and cooperation;
- Legislation establishing a Snowmobile Trail Fund (DOC) Advisory Council.

#### B. Availability of Outdoor Recreation Opportunities

#### **FOCUS GROUP MEETING SUMMARY**

#### Issues grouped by patterns and themes

#### 1. Access:

- need for increased physical access to both public and private land, including access to water, for a variety of outdoor-based recreational opportunities-emphasis on "wilderness" or "backcountry" experiences;
- need for balance between local and statewide interests was noted in relation to access issues.

#### 2. Funding:

- adequate funds for acquisition/new development, as well as for proper maintenance of existing properties/facilities. Some discussion of specific funding needs such as "fresh water fishing" and "trail development."
- user fees as one potential way to increase funding.

#### 3. Conflicting Uses:

- traditional vs. non-traditional or motorized vs. non-motorized use of trails or waterways; local vs. statewide interests;
- diminishing access to private land as a result of overuse and abuse, largely due to inappropriate ATV use;
- changing demographics (ageing) /needs of those who participate in outdoor recreation opportunities.

#### 4. ATVs (and Jet-Skis):

- conflicts concerning the use of ATVs (and other motorized vehicles) are of growing public and landowner concern;
- ATVs are causing property damage, as well as threatening the integrity of existing trail systems and access to those trails.

#### 5. Geographical Issues:

- need for a wide array of outdoor recreational opportunities distributed throughout the state, with consideration to the varying philosophies or subcultures in different geographical areas (Kittery/Ashland); the greater the population density, the less available outdoor recreation opportunities;
- examine the various impacts of local ordinances concerning recreational activities/development on state programs, laws, and rules.

#### 6. Management:

- the need for effective management/stewardship of outdoor recreational resources, using a more collaborative approach (inter and intra-state agency; with and among stakeholder groups);
- a couple of related areas were discussed in some detail: emergency management to protect the safety (physical and psychological) of those who avail themselves of outdoor recreational opportunities;
- the need for a sustainable balance between meeting user needs and protecting our natural resources;

#### 7. Information and Education:

 consistent information about Maine's outdoor recreational opportunities/facilities lacking, making it difficult for potential users to know what is available, let alone where/how to find it!

#### Further refinement of the issues

#### Issue # 1 - Access:

- includes affordability (user fees no one should be denied access simply on the basis of an inability to pay the fee);
- loss of (access to) wilderness/backcountry recreation opportunities;
- enforcement of laws protecting landowners, e.g. trespass, destruction of property; waste disposal;
- water access focus program in need areas:
- posting of private land;
- lack of trails for ATVs;
- respect for private landowners/landowner rights;
- landowners are liable under environmental laws for adverse impacts of recreational use, e.g., non-permitted stream crossings and related stream siltation;
- physical access (barriers);
- lack of access due to lack of adequate info/education;
- determine needs and acquire lands to meet needs:
- public demand is overwhelming available resources: e.g., demand for coastal swim beaches and demand for ATV riding areas;
- define appropriate access for different types of public land and waterways.

#### Issue #2 – Funding:

- plan for downturn in economy;
- affordability (user fees);
- trust fund for management;
- interagency collaboration to reduce duplication or higher cost;
- users should pay for all recreational activities;
- need for more funding for land acquisition to take advantage of current acquisition opportunities. Dollars for land acquisition should be prioritized refer to Land Acquisition Priorities Advisory Committee Report;
- tax all outdoor activities same as hunting equipment purchased;
- need development dollars for the many undeveloped state lands;
- strong public support for the federal L&WCF:
- funding for management and management staff for newly-acquired lands;
- ensure public access affordable to all users.

#### Issue #3 – Conflicting Uses:

- need to control ATV use to prevent conflicts with other recreational uses, impacts on land, and problems with private landowners;
- consider uses that can co-exist (mountain. biking/snowmobiles);
- address future uses of private/public land for non-traditional uses ATV/Road rallies/motocross:
- create a balance of uses/available experiences, e.g., backcountry/developed parks, motorized/nonmotorized, active/passive, etc.;

- uses need to be compatible with land capability;
- define appropriate uses for both land and water (e.g., limit jet-skis on small bodies of water);
- need to have a variety of opportunities for the wide variety of interests:
- provide reasons for land posting;
- comprehensive plan should cover normal and emergency circumstances.

#### Issue #4 – Management of Outdoor Recreational Resources:

- management plans for all public areas should take into account local, regional and statewide needs, as well as geographical, educational and informational considerations:
- geographic needs/differences;
- take into account natural, historical and archeological resources as well as current uses;
- advertise existing areas to spread use;
- interagency cooperation (federal, state and municipal) in identifying and solving management problems such as understaffing and overcrowding:
- plans that address needs of different users, emergency situations, law enforcement and safety e.g., an Operational Plan for a specific area can identify uses and what activities are and are not allowed:
- development of alternative, creative ways of managing public recreational lands (e.g., grants, volunteers and trust funds) – "doing more with less":
- education/dissemination of information to promote all of the above.

#### Strategies Identified

#### 1. Access:

- work with private landowners (include incentives for them to keep their land open, and to reduce their liability with regard to environmental damage caused by users);
- create a Trails Bureau to (in part): study and eliminate physical barriers to access wherever possible; publish simplified guides/maps to types of land use; work with landowners, clubs and organizations to establish guidelines for usage that can be enforced]. Integrate the motorized trail program with nonmotorized program like N.H.;
- improve/expand information about trails (e.g., location, uses, maps, etc.);
- continue to purchase abandoned railroad corridors to increase trail opportunities;
- ensure that a portion of state land is dedicated to backcountry recreation;
- fund a new LMF bond issue, and increase partnership with NGOs;
- develop pro-active program to scout and locate water access acquisition opportunities, especially southern coast and southern Maine lakes.
- develop and use a publicly supported acquisition priority list.

#### 2. Funding:

- have outdoor recreation opportunities available to population centers and lower income populations and accessible via public transportation:
- develop existing public lands in areas close to population centers where there are recreation needs before acquiring additional land;
- require ATV operator licenses;
- raise ATV registration fees (higher fee justified as ATVs are for year-round use vs. seasonal nature of snowmobiles), and dedicate the increase to IF&W for enforcement and trail systems Enlist more volunteers to help BP&L in State Parks by providing incentives (e.g., waiver of camping fee);
- establish a tax (or user fee) for other outdoor activities to help support multiple uses;
- State take more active approach to setting land acquisition priorities rather than the current reactive approach;
- use LMF for development as well as for acquisition;
- collect fees with "Iron Rangers" at facilities where no user fees collected at present.

#### 3. Conflicting Uses:

- require landowner permission for ATV use on private lands;
- increase user group cooperation;
- conduct a focused study on compatible land uses (type, season, etc. balance social and environmental impact). Categorize public land, manage according to study/plan – do not allow inappropriate use or overuse. Publish guide/educational materials re: permitted uses and reasons for restrictions;
- increase law enforcement, and intensify penalties to increase level of voluntary compliance;
- acquire land in four parts of Maine, specifically for motorized use (ATVs).

#### 4. Management of Outdoor Recreational Resources:

- develop operational/management plans: examine existing plans and update as needed; write plans for areas where none exist; take into account geographical differences such as local, regional and statewide needs, natural, historical and archeological resources. (Sustainability)-Incorporate some means of analyzing results, how to address problems with implementation, and time-line for updating plan as needed. State could develop an operations planning manual with guidelines;
- interagency cooperation –convene meetings between cooperating agencies (include Feds. and private, non-profits) in planning process, identify universal problems and collaborate re: solutions; share resources;
- identify alternative funding sources for operations/management (i.e., grants, trust fund, heritage grants, stewardship endowments);
- increase BP&L's planning capability;
- work with BP&L, SPO to develop informational materials about specific public lands and parks.

#### Summary

The focus group brought to light several critical issues. ATV and other motorized vehicles dominated the discussion. Linked to ATV use is the issue of diminishing public access to private land (a strong Maine tradition) due in part to inappropriate ATV use and landowner liability for environmental damage and land degradation. Access issues were viewed as directly related to the availability of opportunities and a major concern, recognizing that these issues varied based on geography and the ability to work cooperatively with private landowners. A variety of funding strategies were proposed, including use of funds to develop a state land acquisition strategy. Emphasis was placed on inter-agency collaboration to address other issues like use conflicts and the overall management of outdoor recreation resources.

#### Community Outdoor Recreation Needs and Smart Growth

#### **FOCUS GROUP MEETING SUMMARY**

#### Issues grouped by patterns and themes and refinement of issues

Issue #1. Adequate fiscal resources for maintenance, development, and management. This includes resources for security of recreational areas; for education and information regarding recreational opportunities: assessment of recreational needs/interests, etc.

- maintain first/develop new second;
- require more than state/federal dollars:
- need extensive community education in addition to a legislative strategy;
- must have public/private partnerships.

#### Issue #2. Smart growth implies a concentration of facilities, interconnected, in proximity to current users.

- educate and engage developers (residential, commercial, public building) in recreation system development and maintenance;
- pay attention to existing transportation links, especially for child/teen facilities - Getting there 'by yourself' develops independence as well as young, healthy bodies, and it's fun!
- encourage (rewards and protects) private property owners' participation in system development;
- favor pedestrian opportunities and public transit connections:
- make "How to get there" part of every project design;
- have facilities include open space/nature experience, special places and links.

## Issue #3. Habitat preservation (conservation) recognizing diverse spaces (large and small), interconnected to encourage smart growth in compact developed areas, and to promote a variety of nature-based activities.

- promote wildlife "conservation", instead of "preservation"
   Wildlife based recreation is a large part of quality of life in Maine. Sprawling development will limit the diversity of wildlife present in Maine, and the recreational activities associated such as bird watching, hunting, fishing, fiddle heading, nature watching. Open space conservation for local communities for hiking and scenic views, when well planned, can provide important wildlife habitat.
- integrate more formalized/active recreational facilities within tracts of land large enough to support various types of wildlife;
- propose a 'Maine Greenways Initiative".

# Issue #4. Availability and access to a diversity of community recreational activities (e.g., public/private, people with disabilities, land/water, targeted promotion, older adults, children and teens, non-motorized/pedestrian, remote, includes assessment of needs and interests)

- access needs should include consideration of safety issues;
- maintaining public access to our natural resources (beaches, water);
- school facilities and equipment can be a public resource form coalitions with School Administrative Districts;
- the aging of America means different needs;
- access requires public perception of security from 'anti-social' behavior/vandalism;
- intergenerational appeal and family;
- access design should potential impacts on wildlife habitat.

#### **Strategies Identified**

- 1. Adequate fiscal resources for maintenance, development and management. This includes resources for security of recreational areas; for education and information regarding recreational opportunities; assessment of recreational needs/interests, etc.
- identify or create a stable, predictable, adequate source of funds. Specific suggestions included dedicated sales of a lottery ticket for local projects; a bond for local/regional projects with very low interest rates; a real estate transfer tax to fund ongoing program; other local optional taxes (couched in PR or sales terms such as "land for outdoor recreation/open space");
- document economic value (of outdoor recreation) with regards to business activity, private property values, attracting tax-paying residents, etc.
   Intangible value is also important: identify what is of importance to the particular community. Empower the users to raise private monies;
- make maintenance a higher priority than new development for use of available funds;
- strengthen local land use ordinances to:

require developers to pay the true costs associated with services created by new residents; and to change land use zoning ordinances to permit small lots on town sewer/water system:

- actively support continued LWCF funding;
- build teams (interagency and private) to promote funding;
- learn leveraging techniques (hire consultant);
- lobby for additional money for towns from state programs e.g., MOHF, LMF).

### 2. Smart growth implies a concentration of interconnected facilities, in proximity to current users.

- require developers to identify existing, and/or create new non-motorized transportation links to other parts of the community as part of their site permit;
- develop vision and imaginative plan that excites partners (developers, agriculture, health professionals, educators, businesses, Historic Preservation community) and investors; Look to other states with "smart growth" policies for options/plans;
- require regional comprehensive plans; this concept includes coordination of open space developments/design with town/regions open space and wildlife plans; Comprehensive plans should include considerations related to: transportation, conservation, economic development, recreation, fisheries and wildlife, agriculture, commercial interests, schools, housing, advocacy groups, public safety and health;
- require state planners conduct "town meetings" to identify local or regional issues;
- reward communities that develop and follow comprehensive plans;
- Invest in local sidewalks, trails, and other infrastructure.

## 3. Habitat preservation (conservation) recognizing diverse spaces (big and little chunks), interconnected to encourage smart growth in compact developed areas, and to promote a variety of nature-based activities.

- institutionalize state and local planning programs: embrace, integrate, and involve 'Beginning with Habitat' (BWH), SPO habitat mapping program into state government; use identified 'focus areas' from 'BWH' to aid in land acquisition funding prioritization; encourage strong wildlife buffers along riparian areas through strong shore land zoning and land owner partnerships; conserve large blocks of continuous habitat work across town boundaries; conserve unique and high value habitats through acquisition and landowner partnerships; treat habitat as educational resource for schools and universities; plan and manage on a regional basis (wildlife doesn't see town boundaries); emphasize the interconnected aspect of planning.
- provide incentives to private landowners such as property tax reduction (link incentives to access);
- establish a statewide Transfer Development Rights program (land bank);
- locate nature centers and trails adjacent to "malls" where the people are; and as buffer and boundary to endless expansion (similar to Pemjajawoc);

- work closely with the Department of Transportation to plan for, acquire, and develop connecting corridors for habitat and animal movement between parcels set aside for open space:
- encourage/allow smaller lot sizes in areas designated for compact development.
- 4. Availability and access to a diversity of community recreational activities (e.g., public/private, people with disabilities, land/water, targeted promotion, older adults, children and teens, nonmotorized/pedestrian, remote, includes assessment of needs and interests)
- comprehensive planning that brings all players to the table (including elected officials) – develop a matrix of users to be served, inventory current resources and opportunities (including forgotten historic access to water), and plan how access is/will be ensured; planning coalition should include advocates for persons with disabilities, transportation planners, economic developers, established commercial recreation providers e.g., YM/YWCA, guide services, rafting companies;
- link school funding to community use of school facilities:
- promote land purchases by municipalities/regions;
- target specific recreational programs to specific user groups not all facilities need to serve a wide audience (e.g., youth oriented activities).

#### Summary

The Community Outdoor Recreation Needs and Smart Growth discussion initially focused on the need for adequate fiscal resources [funding was a priority] for all issues]. Emphasis on funding was for maintenance, development, and management of existing recreational resources. The most intense discussion was in regards to smart growth, the alternative to urban sprawl. The suggested emphasis concerned a concentration of facilities, interconnected, in proximity to current users and population centers. This would require incentives for cooperating landowners. Further, education would target changing life-style patterns so that people are encouraged to use linked trails to access recreation and non-recreational activities such as going to the store or meeting friends. Access to a wide range of community recreational activities was an important concern as was the belief that a systems approach to habitat preservation is essential.

#### Recreation and Public Access in the Northern **Forest**

#### FOCUS GROUP MEETING SUMMARY

#### Issues grouped by patterns and themes

- 1. Increased Demand for Land: Participants shared concerns related to the increasing demand for land in the Northern Forest. The desire for more land to be available for recreational use often competes with the interests of the forest industry that traditionally is considered to be the heart of Northern Maine's economy.
- 2. Balance of Public & Private Values: The group noted the need to recognize and integrate the relationship and implications of various and often-conflicting uses/interests of the Northern Woods, e.g., economic development and conservation.
- 3. Ensure Public Access on Both Public and Private Lands: Due in part to the competing interests referenced in Issues # 1 and 2, many participants are apprehensive about future access to the Northern Forest for recreational purposes. Continued or increased public access rests on the ability to establish and sustain a critical balance of both public and private land for multiple uses.
- **4. Who Should Pay? Financial Capacity:** Much of the discussion focused on how best to pay for land acquisition, development, and maintenance. Several views were expressed, including federal, state and/or local funds, and user-pay mechanisms. In general, financial resources are already strained and future recreational opportunities in the Northern Forest demand new, creative funding solutions.
- 5. Need More Wilderness/Backcountry, Non-motorized Opportunities: This issue generated considerable controversy. Some participants were very reluctant to name or discuss this as an issue due to a wide range of definitions for terms like "wilderness" or "backcountry." Reportedly, definition of these terms has been under debate in Northern Maine for several years, with no clear agreement on a definition. After considerable discussion, the majority of participants wanted to include this issue, but define the terms "backcountry" and "wilderness" in an all-inclusive fashion.
- **6. Use Conflicts:** Some participants noted concern regarding "overcrowding" and conflicting uses--recreational and industrial--of the Northern Forest lands. Even within the area of recreational uses, some conflicts occur e.g., motorized vs. non-motorized use, economic concerns vs. environmental. Particular emphasis was placed on the liability concerns of private landowners who allow access to their property. Presently, the perception of many landowners is that

their liability exposure overshadows any benefits of allowing public access. Reducing liability and/or providing incentives to landowners should be seriously pursued.

7. State Agencies Should Focus Investment in Gateway Communities: This discussion centered on the desire to see limited resources focused on gateway communities in order to foster economic development and diversified recreational opportunities. Participants defined "investments" as money, land acquisition, promotion of recreational opportunities, and incubator programs, etc.

#### Further refinement of the issues

- Issue #1. Balance Public & Private Values
- Issue #2. Ensure Public Access on Both Public and Private Lands
- Issue #3. Who should pay? /Financial Capacity
- Issue #4. Need More Wilderness/Backcountry/Non-motorized **Opportunities**

Issue #5. Use Conflicts

#### **Strategies Identified**

- 1. Balance Public & Private Values:
- develop a state initiative to promote North Woods recreation opportunities and adventure tourism, which would benefit North Woods gateway communities, by using existing public lands, sporting camps, North Maine Woods, etc, and by developing infrastructure on new public lands;
- increase use of conservation easements to protect tax base while protecting public values on private land:
- focus state agency investment in gateway communities to foster diversified economic development, dollars, land acquisition, and promotion of recreation opportunities:
- protect current or expected future investment in forest products manufacturing by not "over-conserving" Maine woods, and identify "minimal needs" of industry for raw product, do not fall below this level of available product;
- limit public land purchases and conservation easements only to areas of unique significance and to areas under undesirable development pressures (i.e., kingdom lots, incompatible uses with existing ones or ones that would interfere with traditional uses);
- balance "Economic development" between tourism and industrial approaches, e.g., support both increased growth in retail business and also wood products manufacturing;

- promote "triad" [concept associated with Seymour/Hunter at UMO]: intensive forest management, non-intensive management, e.g., managing natural stands, and eco-reserve Areas:
- acquire more public lands.
- develop a plan outlining the balance (public/private);
- maintain historic industries (timber) as high a priority as generating "new" tourism business.

- develop a state tourism focus on the North Woods and continue support for traditional timber industries;
- acquire more public land;
- focus conservation acquisitions on critical resources and maintain an adequate land base for the forest products industry;
- develop a plan outlining the balance (public/private).

#### 2. Ensure Public Access on Both Public and Private Lands

- ensure continued landowner liability relief when they grant public access rights (e.g., conservation easement);
- facilitate and share information on private landowner agreements to ensure public access, especially for footpaths and water access;
- share responsibility (users) for minimizing conflicts in land use through cooperation:
- consider tax program to ensure public access and stability;
- establish mechanism to account for private landowner responses to environmental impact of recreational use;
- provide and support programs & information to users to promote respect and proper land use;
- achieve "public access" through private landowner agreements and mechanisms for group ownership; and without National Park;
- limit (eliminate) landowner liability for environmental damage and other problems related to improper use/abuse of the privilege by recreational users;
- promote sustainability in forest policy and tax policy;
- include provision in the tree growth program additional tier of tax break to include provision for public access, type of access, and where on property included in required management plan;
- acquire more public land.

#### **Priority Strategies**

- imit landowner liability, including injury to users, damage to land, and all costs associated with the repair of such damage;
- facilitate and share information on private landowner agreements to ensure public access, especially for footpaths and water access;
- consider tax program to ensure public access and stability;

- provide and support programs & information to users to promote respect and proper land use;
- achieve "public access" through private landowner agreements and mechanisms for group ownership, without a National Park;
- acquire more public land.

#### 3. Who Should Pay? / Financial Capacity

- increase user fees on public lands to market rates and explain why to the public;
- require user to pay, not private owners: government has other social obligations, e.g., education, health and welfare, not forest recreation;
- identify costs for maintenance of new public lands and facilities prior to acquisition or creation. Make sure these costs can be paid for prior to project commitment:
- recognize cost shift to municipalities/counties when land becomes property tax exempt;
- develop fee system for users not currently paying license or registration fees;
- use a portion of registration fees to help private landowners mitigate the costs of public access:
- partner with local land trusts, user groups, etc.;
- support private efforts (public relations, not \$);
- dedicated tax (e.g., meals and lodging).
- mix of funds: public (including federal) and private;
- federal government (LWCF, LEGACY, etc.);
- new land bonding for acquisition;
- General Fund;
- adequately fund emergency services e.g., wardens, EMTs, police, fire departments) that rescue those injured or sick in the backcountry;
- user should pay for rescue services;

#### **Priority strategies**

- consider further user fees and other support;
- identify costs associated with new lands and facilities and ensure that these can be absorbed prior to purchase, e.g., maintenance expenses, lost property tax revenues, etc.;
- use a portion of registration fees to help private landowners mitigate the costs of public access. (This is but one example of applying some funding to the broader strategy of landowner incentives.);
- create a dedicated tax, e.g., meals and lodging, recreational equipment, etc.;
- encourage partnerships and a mix of federal, state, and private funding sources:
- fund adequately emergency services; include user pay approaches;

#### 4. Need More Wilderness/Backcountry/Non-motorized Opportunities

- increase state's purchase of new public lands to be managed as wilderness/backcountry;
- provide more "backcountry" opportunities on existing state lands;
- define wilderness a place to come to or a place to protect;
- create a new North Woods State Park and promote adventure tourism;
- market current "wilderness" areas better:
- work more closely with communities to develop trails (multi-use), especially in built-up areas; Should promote "non-motorized recreation" at "home" as well as in the "woods":
- review "need for more wilderness." in context of statewide needs (LAPAC, LMFB);
- establish a national park;
- establish more ecological reserves on state land;
- oppose the creation or promotion of a National Park with DOC funds.

The public stakeholders further categorized and refined these strategies to address the need for more wilderness/backcountry/non-motorized opportunities. As noted earlier in this report, the definition of the terms "wilderness" and "backcountry" generated considerable controversy. It was suggested that LAPAC and LMFB be reviewed in order to capture the outcomes of prior attempts to define these key terms. Another highly controversial part of this discussion focused on a strategy to "establish a National Park." Because there are passionate opinions "for" and "against" the establishment of a National Park, consensus on this strategy was not possible. Stakeholders agreed to include this strategy in the summary of the Focus Group meeting but not recommend it as a key strategy. Ultimately, the public stakeholders combined and prioritized these strategies as follow:

#### 5. Use Conflicts

- require landowner permission to ride ATVs: (There was some question as to the exact nature of an existing law regarding landowner permission, as well as debate about the administration and enforceability of such a law, especially one calling for written permission.)
- provide separate areas for different uses on state lands:
- provide liability insurance to protect landowners similar to snowmobile program - expand to ATV, etc.;
- develop more permanent trails for motorized use avoid conflicts elsewhere.
- Increase education regarding "landowner relations" land users/owners respect others;
- acquire more public land.
- provide better information to guide users to particular areas.
- facilitate (sate) user/landowner agreements where appropriate.

- enact state law requiring (written) landowner permission for ATVs;
- educate and inform landowners and users to enhance their] relationship; develop state-facilitated agreements between users/landowners where necessary and appropriate:
- limit use(s); provide separate areas for different types of uses to minimize or eliminate conflicts;
- provide liability insurance to protect landowners, like snowmobile program does – expand to ATVs;
- increase registration fees to reasonable levels to fund enforcement of existing laws;
- acquire more public land to spread out use/impact.

#### **Summary**

Perhaps the reason that this focus group session produced the least consensus is that the North Woods is largely undeveloped, compared with other areas of the state where decisions about natural resources and development have already been made. What is clear is that there is a call from many traditional wilderness and backcountry access and forest preservation. Further, there is a need to balance motorized and non-motorized uses, with some areas being separate and others as part of a multi-use arrangement. Maine's historical use of private land is shifting, threatened with increasing denial of access. It is recommended that incentives and protections be provided for private landowners to continue the tradition without compromising the historical commercial uses of the land. Further, this continuation will ensure a tax base for local government. Payment for accessible wilderness must be re-thought. Multiple funding sources, including user fees, are recommended. As in other SCORP Focus Group sessions, the ATV set of issues came forward, suggesting that it must be a priority for action.

#### Trail Recreation D.

#### **FOCUS GROUP MEETING SUMMARY**

#### Issues grouped by patterns and themes

- **1. Access:** Many of the issues individually identified by participants related to trail access. For example, participants expressed concern regarding access where private land is involved. They also expressed a desire to see increased access to trails within communities or municipalities.
- 2. Trail Uses and Conflicts: Examples of conflicts arising from various trail uses were discussed (hiking vs. hunting; ATV impact and landowner liability, etc.). Many agreed that these conflicts are increasing in number and scope, and that they need immediate attention before trail users (of all types) lose access to

those opportunities they currently have.

- **3. Comprehensive Trail Planning:** It was noted that acquisition, development, and maintenance of trails is often planned in a fragmented manner. Considering the variety of trail uses, all stakeholders could benefit from a more comprehensive planning process that considers the proximity (to users) and "interconnectedness" of trails.
- **4. Trail Management/Sustainability:** Some participants pointed out the importance of managing trails/trail systems so they are "sustainable." Some of the discussion around this issue referenced the earlier issue of conflicting uses (see issue #2).
- **5. ATVs & Other Off-Road Vehicles:** Several participants talked about the need for increased funding, planning, and law enforcement resources specifically aimed at the use of (primarily) ATVs, and other off-road vehicles.
- **6. Equestrian Access:** One participant reminded the group not to forget the use of trails for horse riders in their considerations of multiple trail uses.
- **7. Opportunities:** This discussion focused on amenities available along various trails (such as campsites, water, etc.); and how to provide information about them to users.
- **8. Volunteerism:** In light of current budget/economic issues, the group felt it important to somehow increase the involvement of volunteers in the development and maintenance of trails.
- **9. Networking:** Trail systems, including related education/information strategies, could be enhanced by increased networking among state agencies, users and other stakeholder groups.
- **10. Public Information:** Participants related some difficulty in finding accurate, current information about trails (maps and guides). The information that does exist appears to be quite fragmented (no one-stop shopping), often confusing, and sometimes outdated or contradictory.
- **11. Healthy Communities:** Participants suggested the promotion of active recreation (especially among Youth) for health-related benefits. After further discussion of this concept, the group agreed that this should be part of a comprehensive plan (see issue # 3 above).
- **12. Funding:** At several points during the day, participants noted their concern about the current and future availability of adequate funds for [acquisition, sustainable development, and management/ maintenance of trails.

13. Landowner Liability: As with previous SCORP Focus groups, this group discussed landowners' concerns, especially regarding liability for environmental damage caused by users, and their impact on access (see issue #1 – Access).

#### **Further refinement of issues**

#### Issue #1. Funding

- Creative techniques for providing landowners who allow trail use some financial compensation (e.g., tax break);
- Make sure we get every available federal dollar;
- Provide more Information on funds available;
- Provide funding to increase enforcement:
- Information on budgets for maintenance (one thing to build, another to keep);
- Public Health/Health Insurance funding for active recreation/human-powered; transportation;
- Funding for trail management/education of users;
- More funding to state for clearinghouse and support services;
- Coordination within and between agencies:
- Continue federal Recreational Trails Program;
- State funding for trails;
- Provide sources of funding to "reasonably staff" programs and fund the various groups' needs.

#### Issue #2. Landowner/Access Issues

- State/local eminent domain provisions for trail corridor acquisition
- Financial/technical support for local land trusts with lands that have trails;
- Central agency for landowners to call/contact about trail-related problems;
- Informal vs. formal trails:
- Limit number of users;
- Successful approaches; -how to solve complaints;
- Community-based assistance:
- Limit or eliminate landowner liability for environmental damage, dumping;
- Put burden of identifying areas for use on recreational user, not on landowner:
- Tougher laws and enforcement for unauthorized uses;
- Liability:
- Overuse of some areas:
- Who is responsible for policing trails?
- Try to coordinate a group to review various owners' policies and try to minimize variety.

#### Issue #3. Comprehensive Planning

- Need to look to the future e.g., motorized mountain bikes, electric scooters;
- "How to" manuals (a guide to trail planning);
- Equestrian access;

- Establish local bike/pedestrian/trail coordinators;
- Central agency for trails (unified):
- Link land and water trail opportunities;
- Economic analysis of financial benefits of healthy lifestyle resulting from community trail system;
- Healthy Communities concept -linking people in communities;
- Mountain bike access (special issues?):
- Get bicycle/pedestrian coordinator involved earlier in the process when roads are going to be widened;
- Additional paved shoulders on paved roads for bikes, walkers etc.;
- In-town trails are different from rural/wilderness trails;
- Have "trail team" [of experts who can go to communities, Maine Municipal Association, local groups, etc. to tell them about the benefits (of trail plans); and to provide consultation/quidance on trail planning;
- Public information (statewide) on available trails;
- Forming partnerships connecting public/private groups;
- Plan on a regional basis;
- Work with Maine Municipal Association to plan and deliver trails development seminars for local officials;
- State/local subdivision laws/ordinances require accommodation/integration of pedestrian and bike trails;
- State Planning Office (SPO) encourage trails & greenways in town comprehensive plans;
- More shared-use trails;
- Sidewalks are trails too:
- Access for people with disabilities -compliance with the Americans with Disabilities Act:
- Carefully identify all "trail" users to determine demand/demand trends;
- Consolidate permits needed for development (one-stop shopping); or coordinate state (DEP/LURC) and local permits.

#### Issue #4. Trail Management

- "How-to" training and manuals for local groups and communities;
- Dedicated funds bonds (?) for trail/land management;
- Continue developing guidelines for making trail surfaces sustainable;
- Better education & awareness of combined uses including motorized & nonmotorized (e.g., dogsleds, etc.);
- User education;
- Conflict resolution group;
- Longevity of local trail organization;
- Funding for state to manage and maintain "state trails" (similar to state parks)
- Patrolling trails to minimize conflicts-need non-motorized program to help manage/fund those trails;

• Define different types or classes of motor vehicles, and determine which type(s) are appropriate for use on any given trail.

#### Issue #5. ATVs & Other Off-road Vehicles

- Differentiate between trail users and trail abusers:
- Law enforcement ATVs on and off paved roads;
- Link between increasing motorized uses and healthy lifestyles, e.g., kids using ATVs instead of bikes;
- Potential for zero-emissions/low-noise ATVs:
- New trails just for ATVs; inform where they are & how to find them;
- ATV user education;
- More available infrastructure for ATV use;
- State-funded grant program for local enforcement needs;
- Promote ATV club use;
- Educate users, clubs, manufacturers, communities and law enforcement agents about responsible use

#### Strategies identified

#### 1. Funding

- use municipal bonds for acquisition of open space;
- increase regional planning/cooperation to avoid duplication;
- promote private donations;
- provide training to local officials on how to apply for grants;
- increase outreach by state to local communities on how to plan/build trails, which would result in more taxpayer support;
- solicit funding from trail equipment manufacturers (snowshoes, x-country skis, bikes, ATVs, etc.;
- use more trained volunteers:
- educate public in low-impact use;
- increase "user-pay" higher registration or purchase fees for ATVs, other offroad vehicles to pay for more ATV trails, enforcement;
- tax recreational equipment;
- create an open-space or outdoor recreation lottery like Colorado;
- receive all available federal funds:
- give a share of lottery/casino revenue to state trail program;
- allow more soft match on grants;
- give fines for trees/damage to landowner relations fund for fixing damage, insurance for damage, hauling dumped garbage away;
- lobby actively for increased funding for trail development and construction;
- Increase coordination within and between agencies;
- establish a state grant program to assist local enforcement efforts.

- Implement impact fees; and encourage grants/municipal bonds for trail acquisition and development;
- expand/increase user fees and use of volunteers (trained) for trail
  maintenance and management (consider who pays vs. who benefits;
  reference White Mts./hikers);
- expand/enhance inter-agency coordination and outreach.

#### 2. Landowner/Access Issues

- provide tax breaks for land owners providing access:
- encourage ATVs to follow the MSA's (Maine Snowmobile Association) example;
- network with successful user groups;
- make user groups police themselves;
- establish a statewide information program on what is and is not acceptable/legal;
- use eminent domain/adverse possession;
- provide more information on liability issues free legal advice;
- provide more user-group education to make user understand access is a privilege, not a right;
- provide financial/technical support for local land trusts with lands that have trails;
- limit or eliminate landowner liability for environmental damage, dumping, caused by users;
- provide liability insurance for non-motorized trail use;
- provide free municipal dump access for confirmed land/trail clean-up;
- coordinate group to review various landowner policies, and minimize variances.

#### Priority strategies:

- provide more landowner incentives and reduce liability regarding the recreational use of private property;
- Clarify applicability of adverse possession and prescriptive easements;
   discourage their application/use in recreational settings;
- Provide increased user education (e.g., how users and land owners can self-police)

#### 3. Comprehensive Planning

- produce "How-to manuals";
- send "trail team" (planners) to communities, ME
   Municipal Assoc., local groups, etc. to tell them about the benefits (of trails)
   and give them "how-to" help;
- establish a central agency for trails (unified);
- encourage trails & greenways in town comprehensive plans (SPO);

- identify social, financial & environmental benefits of trail usage at the local level;
- promote sustainable trail tourism (existing trails);
- ensure infrastructure in place for tourism before you promote activities;
- put more trainers/planners in the field;
- integrate planning for the different types of trails/trail uses may find opportunities for collaboration or combination:
- develop collaboration between partnerships for Healthy Maine and trail agencies & DOC – marketing potential;
- develop regional plans and organizations;
- include equestrian in list of users:
- encourage formation of long-range planning committee in municipalities to follow through on action items in comprehensive plan;
- encourage active recreation and/or conservation committees in each town; should be appointed by selectmen- not independent group;
- identify all "trail" users; determine demand and demand trends;
- consolidate "permits" so one-stop shopping or coordinate state (DEP, LURC) and local permits;
- establish a state/regional/local clearinghouse: unify or better coordinate several existing task forces, working groups, etc. (MaineDOT access, SPO coastal access, sustainable tourism, DOC, IF&W, Agriculture, DMR & Federal land – proactive planning, promotion of a planning model to include incentives for towns to work together;
- promote state/non-profit partnerships;
- include "trails" in planning/zoning and regulation assistance to local municipalities;
- develop incentives for regional organization & regional funding mechanisms

- identify all "trail" users; determine demand, trends; include this data in a comprehensive trails planning manual; update the data/manual periodically as the basis for all trails planning efforts;
- plan proactively to promote successful models for collaboration state/regional/local;
- Unify or better coordinate several existing task forces, working groups (i.e., MaineDOT, SPO, DECD-Office of Tourism, DOC, IF&W, Dept. of Agriculture, DMR, federal groups, municipal groups, etc.) to provide a clearinghouse for trails planning information/technical assistance.

#### 4. Trail Management

- develop "How-to" training and manuals for local groups & communities;
- use dedicated funds/bonds for trail/land management;
- continue developing guidelines for making trail surfaces sustainable;
- develop a statewide trail signage system for use on all types of trails (local/state/private);

- collect taxes/licenses for ORVs, bicycles, boots to support trail management;
- network with successful groups;
- develop regional management teams for area rail trails;
- provide regional training/meeting sessions for discussing trail management issues;
- integrate the various agencies' programs more effectively;
- imitate statewide snowmobile trail model central plan and maintenance regulations; local delivery;
- use Fort Kent as a model for regulation and enforcement of trail activities at the local level;
- use trail design as a means of controlling uses;
- fund a trail coordinator; designate "state" trails and fund DOC to manage and maintain;
- hold regional mini-conferences or workshops for management; consistency;
   MMA or other approaches to bring people together to share management processes (state provide technical assistance or oversight;
- identify stable funding for state to manage and maintain "state" trails (similar to state parks);
- patrol trails to minimize conflicts;
- establish a non-motorized trail program to help manage/fund those trails;
- provide access for persons with disabilities.

- coordinate (state) and support regional mini-conferences or workshops that vary in format and participant types that result in more effective trail management;
- establish a long-term trail management and maintenance plan that involves (at a minimum) multiple use, design, oversight, and security issues:
- create a statewide trail signage system for use on state, local, and private trails that allows for appropriate inter-connectivity;
- use the statewide snowmobile trail model to plan for current and future motorized use of trails;
- create statewide technical assistance, such as manuals and guides; plus education and training for communities, groups, and trail users

#### 5. ATVs & Other Off-road Vehicles

- adopt rules to encourage the use of zero-emissions/low-noise ATVs;
- create terrain parks and dedicated trails for "energetic" riding (ATVs);
- advocate enforcement of existing laws and strong penalties and sentences for violations:
- place onus on users not on landowners;
- give volunteers radios to help law enforcement;
- devise (state) cooperative enforcement campaign:
- encourage local motorized and non-motorized trail clubs to work together;

- provide areas for ATV use & trails (ATV parks);
- promote ATV clubs.

- Educate users, landowners, court/law-enforcement personnel, and other stakeholder groups. Involve manufacturers/dealers in the educational
- Enhance enforcement efforts: increase law enforcement personnel, increase penalties for violations, and encourage courts to impose strong penalties charges:
- Provide specific areas (trails and terrain parks) for ATV use (distinguish between ordinary use and "energetic riding")

#### Summary

The focus group on Trails brought to light a common concern. Unless actions are taken immediately, the cooperative relationships between trail users and private landowners will erode. This erosion will be to the detriment of the existing trail system and historical user expectations about access to trails. In order to forestall this, a variety of funding strategies were proposed. Further, several ideas were presented that could address landowner complaints. With these ideas in place, reduced access concerns can be reversed. It was noted that a piecemeal approach to an effective trail system was not efficient. A truly comprehensive trail management plan must be developed and followed. This plan would guide the use of limited funds and build in private landowner support. Within this comprehensive plan would be a trail management section that would guide state infrastructure and actions. Finally, the issue of off-road vehicles, primarily ATVs, must be addressed. The needs of users must be balanced against interests of others, resulting in the maximum effective use of all trails throughout Maine.

#### E. Tourism and Public Recreation Areas and Facilities

#### **FOCUS GROUP MEETING SUMMARY**

#### Issues grouped by patterns and themes

#### 1. Public Access and Usage of Both Public and Private Lands

While many types of access issues were mentioned, much of the discussion revolved around private landowners' increasing reluctance to grant public access. This trend is attributed, in part, to liability concerns. Many also said the landowners are getting fed-up with ATV ruts and other property damage from insensitive users.

### 2. Need a More Coordinated, Collaborative Approach to Marketing Tourism and Outdoor Recreation (Eco-tourism)

There was considerable discussion regarding the definition of "Eco-tourism." Some suggested it is any tourism that is "nature-based"; while others said the term implies a set of "over-arching principles" which include sensitivity to "culture and heritage", as well as ecological and economic impact. While there was no consensus on the definition of "Eco-tourism," the majority did agree that more emphasis needs to be placed on effective marketing and coordination of resources.

#### 3. Manage Resources to Minimize Impact

The group discussed the need for balance between the breadth of stakeholder and user interests, and the preservation of resources.

#### 4. State/Private Coordination to Spread Out Resources

The need for coordination and collaboration, "not competition," (i.e., trails) between the State and private sector was a dominant theme among participants. Some said a clearer definition of roles would be helpful. Improved coordination was seen as a path to a more even distribution of resource use and availability.

#### 5. Trails: Motorized, Non-motorized, Multi-use

Most of the discussion here focused on conflicts of trail use such as hunting and hiking, and the need for sufficient trail systems to accommodate the varied uses, [and minimize user conflicts, e.g., between motorized and non-motorized uses].

#### 6. Sunday Hunting in Unorganized Territories

One participant suggested that permitting hunting in unorganized territories on Sundays would attract more tourists to Maine during hunting season.

#### 7. Laws and Policies That Affect Tourism

Some recommended that all relative laws and policies be reviewed to consider how they impact tourism.

#### 8. Acquisition & Funding Issues

Discussion centered on the questions about availability, levels and sources of funds for acquisition of land to expand tourism/public outdoor recreation facilities.

#### 9. Marketing and Promoting (both in and out-of-state) What We Have

Participants expressed a need to consider how tourism and outdoor recreation facilities are promoted, and to whom. Some pointed out that [state] marketing tends to focus on out-of-state visitors, while many residents are not aware of the outdoor recreation opportunities within the state. [The private Maine Tourism Association does market to resident visitors.]

#### 10. Addressing User Needs

The comments in this area were directed toward a need for public facilities to accommodate a wide array of user needs (hiking, snowmobiling, fishing, etc.). One participant pointed out that this includes access issues in state parks. [Also noted: address needs of an aging population.]

#### 11. Spectrum of Facilities

Discussion regarding this issue was similar to the issue stated above (#10). Basically, participants want the plan to address access to a wide range of public outdoor recreation opportunities [from primitive to developed].

#### 12. Enhance [and improve] Existing Recreational Opportunities

Saying "the state should make the most of the facilities and resources that currently exist" can sum up the comments regarding this issue. [Improve opportunities on state-owned lands.] There is a need to examine and better understand current trends (e.g., maintenance and upkeep, capacity expansion, 'value-added') in order to know what kinds of facilities are needed.

#### 13. **Water-based Recreation**

There was little discussion regarding this issue, other than to acknowledge that the plan should not overlook the fact that some outdoor recreational activities are water-based e.g., fishing, boating, and swimming.

#### 14. Conflicting Uses

Related to the access issues discussed earlier (see issue #1), some noted that there's increasing concern over conflicting uses of recreational facilities (e.g., hiking and hunting); and that the plan should include strategies to resolve these conflicts.

#### 15. Economic Impact

It was suggested that the planning effort has to consider the economic impact of tourism in Maine.

#### Issues prioritized

#### Issue #1. Public Access and Usage of Both Public and Private Lands [with emphasis on] Stewardship

- what are compatible recreation opportunities with private/public lands:
- develop long-range plans to ensure longevity of recreational opportunities (rec. easements, etc.);
- ensure access opportunities equal to numbers of visitors appropriate & sustainable access opportunities;
- allow/institutionalize revenue to landowners to compensate for use expense.

#### Issue #2. Coordination of Resources, Especially with Regard to Marketing

 Improve alignment/coordination between state agencies and public and private entities (public/public & public/private) on proper usage of resources, available resources for appropriate marketing strategies: target funding to develop facilities that don't compete or conflict with private sector.

#### Issue #3. Manage Existing Resources to Minimize Impact

- Impacts = Economic, social, environmental; reduce impact by spreading out/expanding.
- Management issues = User conflicts (motorized vs. non-motorized, remote vs. more developed); levels of use; distribution of use across venues; use planning (summer vs. winter); Non-recreational uses and relationship to recreational uses; Preserving traditional / legacy opportunities; expanding opportunities on existing facilities/lands.

#### Issue #4. Economic Impact

 Further develop outdoor recreation to enhance economic development of local businesses, communities, and the state, in an environmentally responsible and sustainable manner.

#### **Priority strategies**

#### 1. Public Access and Usage of Both Public and Private Lands

- understand issues and concerns with recreation opportunities that are not compatible (landowner survey, conference or workshop);
- assess visitor behaviors that risk maintaining access (user survey).
- develop and/or communicate incentives for landowners to embrace recreational use of their lands as part of a larger state recreation strategy/plan (landowner liability laws, easement purchases, development rights, purchases, etc.;
- require local (municipal) "public land" rules to be heard at (municipal) hearings before enactment;
- assess recreational opportunities available on private and public lands is
  there a niche associated with certain landowners need for targeting sites for
  certain recreation opportunities; only market properties which can withstand
  the number of visitors expected.

#### 2. Coordination of Resources, Especially with Regard to Marketing

- encourage annual summary meeting to reflect on progress of coordination efforts (both public/public and public/private);
- invite private entities to participate in meetings where resource planning and marketing decisions are made;
- increase agency participation in joint planning on overlapping issues; convey information through agency newsletters; participate on commissions/committees of cross-functional organizations; stress proper use

- of resources (information that might be specialized to private landowners' concerns Leave No Trace in Maine video).
- create a governmental Commission on Outdoor Recreation;
- ensure that marketing of certain recreation opportunities matches the availability of recreation resources; and highlight underutilized areas.

#### 3. Manage Existing Resources to Minimize Impact

- identify use(r)/activities: motorized (ATV, power boats, jet skis, snowmobiles, 4X4s, etc.); non-motorized (hike, bike, paddle); adventure (whitewater raft/kayak, mountain biking, climbing); wildlife-based (hunt, fish, trap, watching wildlife) and assess the current state of outdoor recreation in Maine;
- define/visualize "desired state"; considerations benefits vs. neg. impacts (economic, social, environmental), regional distribution of recreation resources, carrying capacities (physical and social);
- develop a recreation opportunity spectrum management strategy (similar to U.S. Forest Service);
- Improve communications between [promoters and managers

#### 4. Economic Impact

- prioritize under-utilized facilities that generate the greatest economic return (ATV and multi use trails were cited as specific examples) and focus development efforts on those facilities;
- increase funding for maintaining snowmobile trails;
- support outdoor recreational businesses (new and existing);
- strategically locate a new day-use state park in an underutilized area;
- encourage and facilitate partnerships between state facilities and private businesses in the development of outdoor recreation opportunities and support services.

#### Summary

Tourism and public recreation were seen as having growth potential in economic terms, especially if linked to "eco-tourism." This could result in more jobs, increased taxes and fees, and other economic benefits for Maine. However, collaboration between a variety of governmental and private sector entities needs to occur in order to assure sustainability. One area of collaboration would involve an inventory of existing recreational opportunities for tourists; establishing a detailed set of "ideal" objectives; and identifying strategies to meet those objectives. Included in this plan would be access issues on public and private land; marketing strategies that would honor sustainability and proximity to population centers; minimizing impact by improving the distribution of recreational opportunities; and funding areas of high use and revenue generation potential.

The issues and strategies identified by the SCORP Focus Group on Tourism and Outdoor Recreation Facilities can be summarized as follows:

first, inventory the current picture of tourism and outdoor recreation in Maine; second, identify the "ideal picture" of tourism and outdoor recreation in Maine; and finally, increase coordination and collaboration to close the gap between the current and the ideal pictures. Participants specifically noted that attention needs to be given to ATV issues, and the Regional Tourism Councils should be "tapped" as sources of information and one means of enhancing cooperation/collaboration.